

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

Dewayne Gee,

Plaintiff,

Case No. 25-11599

v.

Judith E. Levy

United States District Judge

Bank of America, *et al.*,

Mag. Judge Anthony P. Patti

Defendants.

_____/

**OPINION AND ORDER STRIKING APPLICATION TO
PROCEED WITHOUT PREPAYING FEES OR COSTS [2]**

Pro se Plaintiff Dewayne Gee filed this action on May 30, 2025. (ECF No. 1.) On the same day, Plaintiff filed an application to proceed without prepaying fees or costs. (ECF No. 2.) Plaintiff's application contains information that must be redacted.¹ *See* Fed. R. Civ. P. 5.2(a)(c) (stating a filing may only include a minor's initials). It also does not provide the required financial information. The Court therefore strikes

¹ Plaintiff lists several dependents without stating his relationship to them, but they appear to be his children. (ECF No. 2, PageID.15.)

his application and directs him to resubmit a completed application with his children's initials only.

Under 28 U.S.C. § 1914(a), plaintiffs in a civil action must pay a filing fee. If plaintiffs are unable to pay the filing fee, they must document their financial need by completing and submitting an "Application to Proceed in District Court Without Prepaying Fees or Costs" to the Court. *See* 28 U.S.C. § 1915(a)(1). This is also referred to as proceeding "*in forma pauperis*." An individual need not be "absolutely destitute to enjoy the benefits" of proceeding *in forma pauperis*. *Adkins v. E.I. DuPont de Nemours, Inc.*, 335 U.S. 331, 339 (1948). "In determining [*in forma pauperis*] eligibility, courts will generally look to whether the persons are employed, the person's annual salary, and any other property or assets the person may possess." *Cognetto v. Comm'r of Soc. Sec.*, 2014 WL 358465, at *1 (E.D. Mich. Jan. 31, 2014) (internal quotation marks omitted). "Inadequate completion of an application to proceed *in forma pauperis* has been found to be grounds for denial of that application in the Eastern District of Michigan." *Brown v. Berryhill*, No. 17-11577, 2017 WL 2471279, at *2 (E.D. Mich. June 8, 2017).

Plaintiff has not completed the application. Plaintiff does not complete question 3, which asks about income. (ECF No. 2, PageID.14.) He states he has other income from a business, profession, or other self-employment but does not state “each source of money and . . . the amount that [he] received and what [he] expect[s] to receive in the future.” (*Id.*) He also does not answer whether he receives rent payments, interest, or dividends; pension, annuity, or life insurance payments; disability, or worker’s compensation payments; gifts or inheritances; or income from other sources. (*Id.*) In answer to question 6, Plaintiff must detail each regular monthly expense. (*Id.* at PageID.15.) In answer to question 7, he must provide only his dependent’s initials (if they are minors), his relationship with them, and the amount of monthly support. Finally, Plaintiff must provide any debts or financial obligations in answer to question 8. (*Id.*)

As of the date of this order, Plaintiff has not paid the filing fee or filed a completed application to proceed *in forma pauperis*. Accordingly, the Court strikes Plaintiff’s May 30, 2025 application. (ECF No. 2.) Plaintiff must file a new application with completed information by **June 17, 2025**.

IT IS SO ORDERED.

Dated: June 9, 2025
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on June 9, 2025.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager